

Green Berets to Be Tried For Murder of Viet 'Spy'

SAIGON — (UPI) — The U.S. Army today ordered the courts martial for six of the eight U.S. Special Forces men accused of "putting away" a shadowy South Vietnamese thought to have been spying for both sides in the Vietnam war.

The formal charges were murder and conspiracy to commit murder, but the Pentagon said the cases will be treated as "non capital," ruling out the death penalty. The military trials were ordered by Maj. Gen. G. L. Mabry Jr., commander of U.S. Army forces in Vietnam.

Among those who will be tried is Col. Robert Rheault, 43, of Vineyard Haven,

Mass., a West Point graduate and member of a socially prominent New England family. He was commander of the Green Berets but was relieved of his post when the mysterious case came to light two months ago.

The other five ordered court martialled are: Maj. David E. Crew, 33, Cedar Rapids, Iowa; Maj. Thomas C. Middleton Jr., 29, Jefferson, S.C.; Capt. Leland J. Brumley, 26, Duncan, Okla.; Capt. Robert F. Marasco, 29, Bloomfield, N.J., and Capt. Budge E. Williams, 27, Athens, Ga.

The Army said charges against the two other Green Berets involved are being "held in abeyance" pending

the trial. They are Sgt. Alvin L. Smith, 41, Naples, Fla., and Cwo Edward M. Boyle, 26, of New York City.

An officer in the judge advocate general's office in Washington said Williams, Brumley and Morasco will be tried together starting in three weeks. Rheault, Crew and Middleton will be tried later.

Army Secretary Stanley R. Resor said he had been urged to dismiss the charges but "after careful deliberation, I have concluded that it would be unwise and unjustified for me to interfere in this case."

The call for Resor to assume jurisdiction came from

—Turn to Page 4, Col. 6

—From Page 1

eight U.S. congressmen who expressed doubt at the ability of the commanders in the field to conduct a fair and impartial proceedings.

Adding to the mystery of the case was a charge by Rep. Paul Rodgers of Florida that the South Vietnamese government was using its influence to have the men court martialled. There had been previous charges the men were being made scapegoats for mysterious "higher ups" who were never named.

Open to Public

Resor said the trial would be "open to the public except when it is necessary to prevent disclosure of classified material."

The trial may attract worldwide headlines and some of the better known American attorneys might become involved for the defense.

One of these is New York attorney Henry E. Rothblatt, who said he would fly to Sai-

gon immediately to represent Crew and Brumley. He said he expected F. Lee Bailey to join the defense.

"The government better be prepared to make full and complete disclosures of all evidence in the case, and specifically all the activities of the CIA in Vietnam, Laos and Cambodia as related to the Green Berets," Rothblatt said.

Identity of the alleged victim never has been established publicly. He is thought to have been Thai Khac Chuyen, who worked as an "interpreter" for the Green Berets. He was reportedly photographed talking with Communist North Vietnamese.

Secret Mission

His widow said he disappeared June 13 after refusing to undertake a secret mission. The story was that he was shot, his body placed in a canvas bag and dumped into the South China Sea.

Defense attorneys for the Green Berets have described the alleged victim as a North Vietnamese double agent employed by the CIA.

Another civilian attorney, George Gregory, 31, of Cheraw, S. C., charged recently that the murder was carried out under orders of the CIA and that the CIA had ordered the murders of more than 100 persons in South Vietnam this year alone.